

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

R&B Circle – Adilabad district – Land Acquisition – Jannaram Mandal – Indanapalli - Kalamadugu road from Km. 0/0 to 6/0 – Deposit of decretal charges of Rs. 8,32,712/- towards Land Acquisition - Administrative sanction of Rs. 8,32,712/- - Accorded – Orders – Issued.

TRANSPORT, ROADS AND BUILDINGS (ROADS.III) DEPARTMENT

G.O.Rt.No. 337.

Dated: 8th April, 2010.

Read the following:-

1. From the Engineer-in-Chief (R&B) Roads, Hyd., Ir.No. 8941/DEEX/AEE(A)/2009, dt. 29-5-2009.
2. G.O.Rt.No.2104, Fin.(Expr.PW) Dept., dt. 20-4-2009.
3. From the Engineer-in-Chief (R&B) Roads, Hyd., Lr.No.10923/BR(1)/LANDS 2009-10, dt. 22-8-2009.

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ORDER:-

In the reference first read above, the Engineer-in-Chief (R&B) Roads, Hyd., has stated that the road from Indanpalli – Kalamadugu from Km. 0/0 to 6/0 in Jannaram Mandal was formed in Adilabad district and payment towards land compensation for acquiring the lands was already placed at the disposal of the R.D.O., Nirmal during the year 1975 and the RDO had passed the Award vide proceedings dt. 23-5-1986. After a long gap, a Writ Petition No. 18855/1999 was filed by Sri K. Kairam Laxmi Narasaiah & Others in the High Court stating that they were not paid land compensation admeasuring Ac. 1.23 Gts., in Sy. No. 37 and Ac. 0.20 Gts., in Sy.No.33 of Kalamadugu village, Jannaram Mandal due to formation of above road. The Asst. Director, Survey and land Records had surveyed and demarcated the land and informed that the above mentioned lands belong to the petitioners which are covered by PWD road from Indanpally – Kalamadugu. He has further stated that the R.D.O., Mancherial in his proceedings, dt. 10.4.2000 has informed that the petitioners i.e., Sri K. Laxmi Narasaiah and K. Venkata Goud have filed the representations for payment of compensation under L.A. Act keeping in view the orders of Hon'ble Supreme Court of India. The representations of the above two petitioners were disposed off informing that their repns., cannot be considered. Again, the petitioners i.e., Sri Kairam Laxmi Narasaiah & Others have filed WP.No.21349/2000 stating that the proceedings of the 1st Respondent i.e., R.D.O., Mancherial, dt. 10.4.2000 was illegal, arbitrary and violative and requested the Court to direct the Respondents to pay the compensation to them.

2) The Hon'ble High Court in its judgment, dt. 25-7-2008 on the above Writ Petition, have directed **the Repondents to initiate immediate steps for acquisition within 4 weeks from the date of receipt of the above orders and complete the L.A. proceedings and pay compensation as per the market value existing as on the date of notification to be issued, within a period of 12 weeks.**

3) The Engineer-in-Chief (R&B) Roads, Hyd., has also stated that the Dist. Collector, Adilabad has approved the DN/DD Proposals vide proceedings, dt. 27.11.2008 and informed that a Contempt Case was filed vide CC.No.572/2000 against the L.A.O. cum R.D.O., Mancherial Division / E.E. (R&B) Mancherial questioning the Land Acquisition proceedings. Accordingly, the Hon'ble High Court

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of A.P., ordered notice to Respondents and further directed to file Counter Affidavit on 12-6-2009 and report compliance. Therefore, the Engineer-in-Chief (R&B) Roads, Hyd., has requested to accord sanction and release L.O.C., for Rs.8,32,712/- under the Head of Account "5054 – COL on Roads and Bridges, 04 – District and other Roads, MH – 800 – Other Expenditure, GH-II – Normal State Plan, SH(08) – Other Roads, 530 – Major Works, 532 – Lands", so as to comply with the orders of Hon'ble High Court of A.P., to avoid further legal complications. In the reference second read above, B.R.O., was issued under above said Head of Account with a provision in BE 2009-10 for Rs. 70.00 lakhs duly authorizing an amount of Rs. 17.50 lakhs to meet the expenditure of Rs.8,32,712/- and to regulate the expenditure to the extent of BRO authorized.

4) In the reference third read above, the Engineer-in-Chief (R&B) Roads, Hyd., has stated that the Government have provided an amount of Rs. 70.00 lakhs in Vote on Account Budget provision 2009-10 under "532 lands" Head of Account and released an amount of Rs. 35.98 lakhs to the Executive Engineer (R&B) which was spent. Therefore, no balance is available under the above Head of Account now. Further, the Government have provided an amount of Rs. 24.00 lakhs only in final Budget Estimate 2009-10 under "532 lands" Head of Account. Therefore, the Engineer-in-Chief (R&B) Roads, Hyd., has requested the Government to release the BRO/LOC for Rs. 8,32,712/- towards Land Acquisition Charges under the Head of Account "5054 – 04 – MH – 800 – GH-II – SH(08) – 530 – 532 – Lands" by way of necessary re-appropriation to sanction under Contingent Grant.

5) Government after careful examination of the matter hereby accord administrative sanction for Rs. 8,32,712/- (Rupees Eight lakhs thirty two thousand seven hundred and twelve only) towards payment of compensation for the land

acquired for formation of road from Indanpalli – Kalamadugu from Km. 0/0 to 6/0 in Jannaram Mandal in Adilabad district.

6) The expenditure sanctioned in Para 5 above shall be debited to the Head of Account **“5054 – COL on Roads and Bridges, 04 – District and Other Roads, MH – 800 – Other Expenditure, GH-II – Normal State Plan, SH(08) – Other Roads, 530 – Major Works, 532 – Lands (Charged)”** and shall be met initially as an advance from contingency fund, for which orders will be issued by Finance (BG) Department separately in compliance of the orders of Hon’ble High Court in WP.No. 21349/2000, dt. 25-7-2008.

7) The Engineer-in-Chief (R&B) Roads, Hyd., shall take further action in the matter. He is also requested to take action for obtaining supplementary grant at appropriate time towards recoupment of the advance sanctioned from Contingency Fund.

8) This order issues with the concurrence of Fin.(Expr.PW) Dept., vide their U.O.No. 05294/143/A2/Expr.PWD/10, dt. 23-3-2010

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D. LAKSHMIPARTHASARATHY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief (R&B) Roads, Hyd.

Copy to:

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E.E. (R&B) Division, Mancherla, Adilabad dist.
The Fin.(Expr.PW) Dept.
The Director of Works Accounts, hyd.
The Director of Treasuries & Accounts, Hyd.
The Accountant General (A&E) Hyd.
The Finance (BG) Dept.
The P.A.O., Adilabad dist.
The P.S. to Prl. Secy. (R&B)

// FORWARDED :: BY ORDER //

SECTION OFFICER